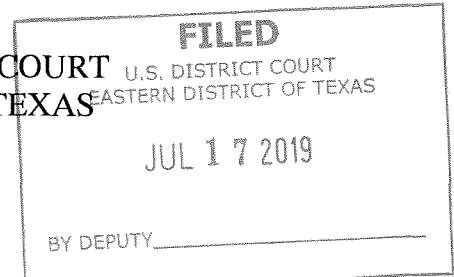


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION



UNITED STATES OF AMERICA
v.
ESWIN DANIEL BALAN AVILA (8)

§
§
§
§
§

No. 4:18CR55
Judge Mazzant

FACTUAL BASIS

The defendant, **Eswin Daniel Balan Avila**, hereby stipulates and agrees that at all times relevant to the Indictment herein, the following facts were true:

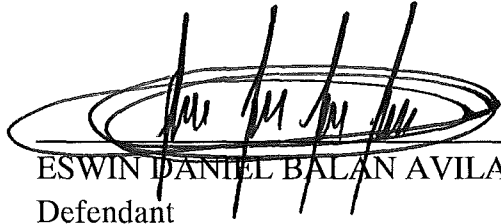
1. That the defendant, **Eswin Daniel Balan Avila**, who is changing his plea to guilty, is the same person charged in the Indictment.
2. That **Eswin Daniel Balan Avila** and one or more persons in some way or manner made an agreement to commit the crime charged in the Indictment, to manufacture and distribute 5 kilograms or more of a mixture or substance containing a detectable amount cocaine intending, knowing, and with reasonable cause to believe that the cocaine will be unlawfully imported into the United States.
3. That **Eswin Daniel Balan Avila** knew the unlawful purpose of the agreement and joined in it with the intent to further it.
4. That **Eswin Daniel Balan Avila** knew that the amount involved during the term of the conspiracy involved at least 450 kilograms of a mixture or substance containing a detectable amount of cocaine. This amount was involved in the conspiracy

after the defendant entered the conspiracy, was reasonably foreseeable to the defendant and was part of jointly undertaken activity.

DEFENDANT'S SIGNATURE AND ACKNOWLEDGMENT

5. I have read this Factual Basis and the Indictment and have discussed them with my attorney. I fully understand the contents of this Factual Basis and agree without reservation that it accurately describes the events and my acts.


Dated: 07/01/2019


ESWIN DANIEL BALAN AVILA
Defendant

COUNSEL FOR DEFENDANT'S SIGNATURE AND ACKNOWLEDGMENT

6. I have read this Factual Basis and the Indictment and have reviewed them with my client. Based upon my discussions with the defendant, I am satisfied that the defendant understands the Factual Basis and the Indictment.

Dated: 7/8/2019


TODD YODER
Attorney for the Defendant